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ABSTRACT

This document provides an overview of home schooling in the United States that sets the context for a discussion of state regulation of home-schooling parents. The focus is on the nature and variety of statutes and regulations regarding home-schooling. The use of parents as teachers is discussed. Several generalizations concerning major characteristics related to variables of home education, such as demographics, home-schooling practices, and reasons for home-schooling are presented. Each state is responsible for establishing its own statutes and regulations regarding home education. States use varied language to prescribe the nature of what occurs in the home school and to describe the qualifications of parents who wish to educate their children at home. The research indicates that the generalizations do not accurately depict the heterogeneity among home-schoolers in terms of such variables as level of structure in the home-school and reasons for home-schooling. (32 references) (SI)

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Setting the Context for State Regulation of Home-Schooling Parents

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Running Head: SETTING THE CONTEXT

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A growing number of parents in the United States are choosing a long dormant form of education for their children: home education. A precise figure for the number of home-schooled children in this country is difficult to attain. Estimates range from about 200,000 (Lines, 1987) to one million (Feinstein, 1986). A more recent study reported that the number of 400,000 home-schooled students in this country is not an unreasonable one (Ray, 1989). Although it appears that less than 2% of America's school-aged children are in home schools, the situation has caused quite a stir amongst some elements of our society. Arons (1983, p. 88) framed some pertinent questions: ". . . why do a few thousand families seeking to educate their children at home evoke such virulent official reactions and such widespread public attention?" and why is a family who educates a child at home perceived as a ". . . major threat to universal public education and the survival of democracy?" Arons described the family that chooses to educate its children at home as a kind of social mutant because its behavior is altered in one detail from the norm. On the other hand, Mayberry, (1988a) concluded that although home-schooling families may not be a part of the status quo, the parents are ". . . rational individuals seeking to achieve a rational goal." Nevertheless, the fifty states and the

District of Columbia must decide how to deal with home schoolers whether the public perceives them as rational, deviant, or both.

The purpose of this paper is to provide an overview of home schooling in the United States in order to set the context for a discussion of state regulation of home-schooling parents. This paper will focus on the nature and variety of statutes and regulations regarding home-schooling in general, and the parents in particular. The paper will also raise some concerns with respect to regulation of parents as teachers.

General Description of Home Schooling

A general description of home schoolers provides a frame of reference for thinking about the current phenomenon of home education in the United States. A warning must be added, however: generalizations about home schoolers may muddy the waters with respect to dealing with the wide variety of people who are involved in the practice. First, generalizations will be presented, then an elaboration upon some of the variety amongst home schoolers and their practices will be offered.

A synthesis of the research findings from several studies (Greene, 1984; Gustafson, 1988; Gustavsen, 1980; Knowles, 1988b; Kutter, 1987; Linden, 1983; Mayberry, 1988a, 1988b; Schemmer, 1985; Taylor, 1986a, 1986b; Wartes, 1987, 1988b; Washington State Superintendent of Public Instruction, 1985) yields the following major characteristics of home schools: (1) both parents are actively involved in the home school with the mother/homemaker as the teacher most of the time; (2) parents have attended or

graduated from college; (3) total household income is $20,000 to $30,000 per year; (4) over 70% regularly attend religious services, with a variety of religious backgrounds being represented; (5) three children are in the family; (6) formal instruction begins at 5.5 years of age; (7) a nearly equal number of boys and girls are educated at home; (8) 70% of the youth are 9 to 12 years old; (9) the learning program is flexible and highly individualized, involving both homemade and purchased curriculum materials; (10) children are formally "schooled" three to four hours per day, and often spend extra time in individual learning endeavors; (11) they study a wide range of conventional subjects, with an emphasis on math, reading, and science; (12) the home school is operated for more than two years; (13) home education is chosen for various reasons, including concerns for both the cognitive (e.g., to accomplish more academically and more individualized learning) and affective (e.g., to learn selected religious or philosophical values, avoid peer pressure, greater parent-child contact, and better self-concept) development of children. The preceding list describes measures of central tendency among home schoolers.

A partial description of variance among home schoolers should also be provided. For example, parents in one study (Wartes, 1988a) rated the level of structure in their home schooling at a mean of 4.7 (N = 465) on a scale of 1 (very unstructured) to 7 (very structured). However, the standard deviation was 1.3, so a considerable number of parents perceived

their schools as quite unstructured, while others rated their schools highly structured. Likewise, great variety among teaching methods and materials is reflected in the current writings of home-schooling advocates and leaders (e.g., Harris, 1988; Hendrickson, 1989; "Ten common approaches," 1988). For example, "Ten common approaches" describes various ways to educate children ranging from the classical approach (i.e., using the tools of grammar, dialectic, and rhetoric) to worktexts/mastery learning to the unschooling approach.

In a similar vein, while Wartes (1988a) found in his study of home schools that kindergarten children were formally schooled 7.4 hours per week (n = 20), students in grades 9 to 12 (n = 20) were formally schooled 21.3 hours per week. Another example, that is particularly salient to the topic of this symposium, is the education level of home-schooling parents. Wartes examined the primary teaching parents and found that they averaged 13.9 years of education (N = 462, SD = 2.0). However, 35.9% had a high school education or less and 11.6% had more years of education than the equivalent of a bachelor's degree.

A fourth example of variability among home schoolers deals with a topic that is also highly relevant to this symposium: home-schooled students' contact with certified teachers. Wartes (1988a) found that while parents reported 90.3% of their students had no contact with certified teachers, 16.5% of the children have parents who were certified teachers (N = 423 questionnaires responded to by parents). The preceding examples related to

level of structure, hours of formal schooling, education level of parents, and amount of student contact with certified teachers reflect the amount of variance found among home schools and parents who operate them.

Statutes and Regulations

Heterogeneity is not unique to the methods and materials used by home schoolers. The states are relatively independent entities when it comes to regulating education in general, and this independence is reflected in their statutes and regulations concerning home education. These controls are of interest to courts, public school officials, and home educators. The attorneys at the Home School Legal Defense Association (HSLDA) in Virginia may be the country's leading experts on legal controls of home education. Klicka (1988), the executive director of HSLDA, regularly updates a statutory analysis of home schooling in the United States. His analysis is worth utilizing in detail for the purposes of this paper. Klicka reported:

1. "Thirty-one states have adopted home school statutes or regulations in recent years:" in 1988, CO, ME, NY, SC, HI, NC, and PA; in 1987, MD, MN, VT, and WV; in 1986, MO; in 1985, AR, FL, NM, OR, TN, WA, and WY; in 1984, GA, LA, NH, RI, and VA; in 1983, WI and MT; in 1982, AZ and MS; in 1976, OH; in 1957, UT; in 1956, NV (p. i). Local superintendents or school boards in ME, SC, NH, RI, OH, UT, and NV have the authority to "approve" home schools. The home-school bill in Pennsylvania was awaiting the governor's signature at the time of Klicka's report.

2. "Only three states require all home schools, without exception, to have a certified teacher involved in the instruction at home" (i.e., IA, MI, and ND) (p. i). However, Iowa has a moratorium on enforcement of the certification requirement during the 1988/1989 school year so that alternative requirements can be investigated.

3. "Higher courts in six states [GA, WI, MN, MO, IA, and PA] have recently ruled that their states' compulsory attendance statutes were unconstitutional because they were too vague . . ." (p. i, ii).

4. ". . . seventeen states [AK, CT, DE, IA, ID, ME, MA, MI, NH, NJ, ND, NV, OH, RI, SC, SD, UT] and the District of Columbia require home schools to be 'approved' by the local school district or school board . . ." (p. ii).

5. Twelve states use language such as "equivalent" (CT, IN, IA, KS, ME, NH, and NV), "regular and thorough" (MD, DE, and RI), and "comparable" to the public schools (ID and MI) to prescribe the nature of the home instruction. In contrast, "the term 'equivalent' was struck down by courts as void for vagueness in MN and MO" (p. ii).

6. "Six states [CA, HI, KS, NY, OH, and SD] require home school teachers to be 'competent,' 'qualified,' or 'capable of teaching'" (p. ii).

7. At least 11 states (AL, CA, IL, IN, KS, KY, MI, NE, ND, OK, and TX) allow home schools to operate as private or church

schools. Home schools may possibly qualify as private or church schools in six other states (AK, DE, FL, ME, OH, and VT).

8. "Twenty-four out of fifty states require standardized testing (three of those states [CO, GA, and NC] do not require submission of the results and six states [FL, LA, ME, MA, VT, and VA] provide alternate options to testing" (p. ii). Testing is required by AK, AZ, AR, CO, GA, HI, KY, MN, NE, NV, NM, NC, OR, PA, SC, SD, TN, WA, and WV.

Klicka's summary of statutes and regulations clearly displays the diversity among state approaches to home education.

Hendrickson's (1989) findings appear to corroborate those of Klicka (1988), and she provided a table that clearly delineated the requirements of parents who wish to teach their children at home. Some examples of what is required of parents in the various states will illuminate the variety that parents might find if they were to move about and home school in three different states during the school years of their children. If the family were to begin in Oregon, neither of the parents would have to meet any specific requirements regarding themselves. If they then moved to North Dakota, they would find that all home-school teachers must be certified teachers. If they finally settled in New Mexico, they would discover that the parent-teacher must have at least a baccalaureate degree, but the state superintendent may waive this requirement if he determines a waiver to be in the best interest of the child (Hendrickson;

Klicka). Two or three interstate moves is not unusual for American families, particularly for those who are in the United States' armed forces. As counsel to would-be home schoolers, Hendrickson said, "Fellow home schoolers may be aware not only of changes in statutes and procedures, but of legitimate loopholes and alleyways through which you can most easily take your first step to home schooling" (p. 151).

Home schoolers are probably most inclined to look for "loopholes and alleyways" where they perceive that the state has not used the least restrictive means to ensure the state's compelling interest in the education of children. For example, Iowa, Michigan, and North Dakota might be perceived in this way since they require all home schools to have a certified teacher involved in teaching the children at home (Klicka, 1988). There is much animosity amongst home schoolers nationally toward the state of North Dakota for its restrictions on and treatment of home schoolers ("Resolutions," 1988/1989). Home educators may never be satisfied with such "certified teacher" stipulations. It may be that the United States Supreme Court will have to settle the issue in states such as North Dakota (Wendel, Konnert, & Foreman, 1986). On the other hand, some states (e.g., MO, NV, OR) make no rulings regarding the qualifications of parents. Home educators and other interested parties in these states seem to be generally satisfied with this type of regulation.

A middle ground, in terms of the restrictions that state statutes and regulations make on parent teachers, is found in

states such as Washington, Arizona, and South Carolina. In Washington, a parent may provide instruction if (a) the child is supervised at least one hour per week by a certificated person, or (b) the parent has either 45 college quarter credits or has completed a course in home-based education, or (c) the parent is deemed "sufficiently qualified" by the local school superintendent (Klicka, 1988). The parent/teacher in Arizona must pass a reading, grammar, and math proficiency exam that is aimed at the eighth grade level (Klicka). In South Carolina, parents must have (a) a baccalaureate degree or (b) a high school diploma or a GED certificate, and attain a passing score on a competency exam for teacher-education candidates (Klicka; B. Carlson, personal communication, December 1988). Washington, Arizona, and South Carolina are similar to one another in that they all speak to some type of competency on the part of parents who wish to teach their own children.

This middle ground of restrictions on home-schooling parents is of particular significance to this paper. Those responsible for the education of children should ask whether the state statutes and regulations are valid with respect to ensuring that the state's compelling interest (in the education of the children within its jurisdiction) is met. One approach to assuring that home-schooled children are in fact educated is to measure and evaluate their academic achievement. This is done in several states. (See the previous list of 24 states.) The rationale of many of the supporters of this approach to regulation is that the

state needs its citizens to be able to function as productive citizens. People need to be able to effectively communicate and receive communication through reading, writing, and numbers, and they must understand the democratic republic within which they live and work. Also, a common assumption is that no more should be required of home-educated students than is required of conventional-schooled students. Therefore, the state only needs to evaluate whether home-educated students are progressing toward these ends, and this evaluation is properly informed by measurement with achievement tests. In this approach, the important thing is whether the students achieve the knowledge and understanding that the state requires of them, not how (i.e., the process) they arrive at that knowledge and understanding. Many educators, politicians, and home schoolers are satisfied with this direct approach to regulating the quality and outcomes of home education. And from all indications to date, students taught at home do ". . . as well or better than conventional school students on standardized achievement tests" (Ray, 1988, p. 24).

Another approach to assuring that home-schooled children are in fact educated is to measure and evaluate their parent/teachers' academic achievement. This strategy lies in the previously described "middle ground" of regulating the qualifications of parents as teachers. This approach implicitly assumes at least a correlation, and perhaps a causal relation, between home-schooling parents' performance in some area of

cognitive achievement (e.g., an achievement test or completion of college courses) and their children's future performance as citizens of the state. If there were a correlation between these two variables, a reasonable argument might be made for such regulation of home-schooling parents. If there were a causal relationship, then a strong argument could be made for such regulation of these parents.

A few studies might inform the discussion about the relationship between parent educational achievement and the learning outcomes of the children they teach at home. Rakestraw (1987, 1988) studied the Stanford Achievement Test scores of 6- to 12-year-old (N = 84) home-schooled children in Alabama. The researcher set alpha at .01 for her statistical analyses. Among other things, she found no significant differences in achievement among home-schooled children when grouped according to the educational background of the parent-teacher. Second, there was no significant difference in the achievement of home-schooled children in grades 1 and 2 when grouped according to whether the parent-teacher was or had ever been a state-certified teacher. There were insufficient data to test this hypothesis for grades 3 to 6. Wartes (1988a, 1988b) examined the same variables using home-schooled students' SAT scores as the criterion. At various grade levels, the students' scores were compared to the education level of the parent who does most of the teaching, to the other parent, and to the parents combined. Alpha was set at .05. Fifteen of the correlations were not significant. Nine of the

comparisons (3 for the main teacher) produced statistically significant correlations of weak to moderate magnitude. Wartes concluded that parent education level was not a strong predictor of test scores. Wartes pointed out that children of parents who had only a 12th grade education were, as a group, scoring somewhat above the national norm. Another finding was that children who had no teacher contact at all scored, as a group, at the 70%ile on national norms (n = 200). Another recent study (Yager, Hidayat, & Penick, 1988), that is not directly related to home education, relates to the relationship between teacher qualifications and student achievement. The authors reported in their review of literature that few policy changes related to improving science and mathematics education are based on any research evidence. Yager, et al. compared most effective and least effective science teachers who were working with 61 science teacher supervisors. Two of the variables examined, for the purpose of contrasting the two groups of teachers, were number of semester hours of undergraduate science and number of semester hours of graduate science. Neither of these two variables significantly (alpha = .05, apparently) distinguished between most effective and least effective science teachers. This author has not carefully studied the relationship between teacher achievement/preparation and student achievement, but there are some who report that the relationship is insignificant. For example, Peavey (1987, p. 6) stated, "A half century of research

has failed to find any significant relationship between teacher certification and pupil achievement."

The approach of regulating parent qualifications in order to assure that home-schooled children are properly educated for the state should be carefully evaluated (just as any method of regulation should be carefully evaluated). One assumption of this author is that the primary objective of a state's schooling regulations is the successful education of the home-schooled children; this is specifically the education that is in the compelling interest of the state. Another assumption of this author is that the ultimate purpose of regulating the qualifications of parents is not to be sure that the parents can exhibit certain levels of cognitive achievement. If would-be parent teachers must exhibit competence on measures of achievement, certain questions should be asked and satisfactorily answered. Does the exam possess predictive validity? That is, does parent performance on the exam significantly predict the criterion? It should be pointed out that this question assumes the criterion (e.g., student learning) is clearly defined. Another question, naturally, asks whether the exam is reliable. Proponents of home education and the least restrictive means of regulating home education might also ask whether there is a causal relationship between teacher performance on a particular exam and student learning outcomes. Those who promote the regulation of parent qualifications in order to assure the proper

education of home-schooled students should also be prepared to give a satisfactory answer to this question.

Summary

Home education appears to be thriving in the United States. The number of students involved in this form of education is great enough to cause considerable interest and concern on the part of the general public, educators, and state officials.

A review of the research on home education reveals thirteen generalizations about major characteristics related to variables such as demographics, nature of the home-schooling practices, and reasons for home schooling. The research also indicates that the generalizations do not accurately depict the heterogeneity amongst home schoolers in terms of such variables as level of structure in the home school and reasons for home schooling.

Each state is responsible for establishing its own statutes and regulations regarding home education. Thirty-one states have adopted such statutes and regulations since 1956. At least 11 states allow home schools to operate as private or church schools. Twenty-four states require standardized testing of home-schooled students. An assortment of language is used to prescribe the nature of what occurs in the home school and to describe the qualifications of parents who wish to educate their children at home.

The variety of stipulations on parents who want to teach their own children is obviously of importance to parents, but it is also of significance to others whose interests cross state

lines. Some of these are attorneys who work with home schoolers nationwide (e.g., HSLDA), curriculum material suppliers, policy makers in the United States Department of Education, publishers of standardized tests for students, schools of education in colleges and universities, and those who might play a part in assessing the teaching qualifications of parents (e.g., iox Assessment Associates of Los Angeles, CA). Rather than inadvertently encouraging home schoolers to find and use "loopholes and alleyways," it would be more prudent to construct sound statutes and regulations that best lead to that education of children which is in the compelling interest of the states. Rather than having home schoolers find school officials who ". . . take the law into their own hands in zealous attempts to live up to their self-perceived responsibilities by molding home-school regulations to their own perspectives" (Hendrickson, 1989, p. 153), statutes and regulations which are valid, clear, and practical should be established. Such an approach would enhance cooperation (Holt, 1983; Knowles, 1988a) between home educators and their community neighbors, professional educators, and state education officials. This cooperation would bring each state closer to its goal of an excellent education for all children, wherever that education may occur.

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